

1           Dion M. Bregman (Reg. No. 45,645)  
2           Charles H. Huse (Reg. No. 61,583)  
3           Morgan, Lewis & Bockius LLP  
4           2 Palo Alto Square  
5           3000 El Camino Real  
6           Palo Alto, California 94304  
7           Tel: (650) 493-4935  
8           Fax: (650) 493-5556

9           Attorneys for University of Pittsburgh

10           UNITED STATES

11           PATENT & TRADEMARK OFFICE

12           University of Pittsburgh

13           Plaintiff,

14           v.

15           Varian Medical Systems, Inc.

16           Defendant

17           US Control No. 90/009,531

18           90/009,534

19           CERTIFICATE OF SERVICE

20           CERTIFICATE OF SERVICE  
21           USSN: 90/009,531 and 90/009,534

1                   CERTIFICATE OF SERVICE

2                   I am employed in the City of Palo Alto, County of Santa Clara, State of California, I am  
3 over the age of 18 years and not a party to the within action. My business address is 2 Palo Alto  
4 Square, 3000 El Camino Real, Suite 700, Palo Alto, California 94306. On January 6, 2010, I  
caused copies of the attached document(s) described as follows:

5                   **Statement Under 37 C.F.R. § 3.73(b)**

6                   to be served on

7                   Michael F. Heafey  
8                   Orrick, Herrington & Sutcliffe LLP  
9                   4 Park Plaza, Suite 1600  
Irvine, CA 92614

10                  \_\_\_\_\_(BY FEDERAL EXPRESS DELIVERY) I caused each such case to the addressee(s)  
11 noted above, with charges fully prepaid, to be sent by overnight delivery from Palo Alto,  
12 California. I am readily familiar with the practice of Morgan Lewis & Bockius LLP for  
collection and processing of correspondence for overnight delivery, said practice being that in  
13 the ordinary course of business, mail is placed with the overnight delivery service on the same  
day as it is placed for collection.

14                   (BY FIRST CLASS MAIL) I caused each such envelope to the addressee(s) noted  
15 above, with postage thereon fully prepaid, to be placed in the United States mail in Palo Alto,  
16 California. I am readily familiar with the practice of Morgan Lewis & Bockius LLP for  
collection and processing of correspondence for mailing, said practice being that in the ordinary  
17 course of business mail is deposited in the United States Postal Service the same date as it is  
placed for collection.

18                  \_\_\_\_\_(BY PERSONAL SERVICE) The person whose name is noted below caused to be  
19 delivered by hand each such envelope to the addressee(s) noted above.

20                  \_\_\_\_\_(BY FACSIMILE) The person whose name is noted below caused to be transmitted by  
facsimile each such document to the addressee(s) noted above.

21                  \_\_\_\_\_(BY EMAIL) The person whose name is noted below caused to be transmitted by email  
each such document to the addressee(s) noted above.

22                  I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct. Executed at Palo Alto, California, on January 6, 2010.

23                    
24                  \_\_\_\_\_  
25                  Sherri L. Ballbach

26                  CERTIFICATE OF SERVICE